

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT NEW YORK

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CHAPTER 11

KINGDOM SEEKERS INC.

ARON GOLDBERGER,

Creditor /Plaintiff,

Sears Holdings Corporation, KMART and Affiliates

Debtor / Defendant,

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HRG Date June 29,2022

at 10:00 am

Case No. 18-23538

(Jointly Administered)

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**MOTION TO BE LISTED AS A PRIORITY DEBT, DEMAND ACKNOWLEDGEMENT  
OF EMPLOYMENT AND TYPE OF WORK PERFORMED**

On December 10th, 2021 Kingdom Seekers Inc. wrote an informal letter for reconsideration for administrative expense priority changes to stay instead of changes of general unsecured status pursuant to 11 U.S.C. 503 and 507 and Federal Rule of Bankruptcy Procedure 3007 , which was not considered to be a motion but just a formal letter regarding November 16, 2021 Order [ECF No. 10018] asserted against Kmart Corporation Claim#26515 and Sears Holdings Corporation Claim# 26517, respectively according to the Wage Theft Prevention and Wage Recovery Act, my claim should be a priority. (H.R.7701 - Wage Theft Prevention and Wage Recovery Act)

(H.R.3712 - Wage Theft Prevention and Wage Recovery Act, 116th Congress (2019-2020)).

““This Act may be cited as the “Wage Theft Prevention and Wage Recovery Act”.

## **SEC. 2. FINDINGS.**

Congress finds the following:

(1) Wage theft occurs when an employer does not pay an employee for work that the employee has performed, depriving the worker of wages and earnings to which the worker is legally entitled. This theft occurs in many forms, including by employers violating minimum wage requirements, failing to pay overtime compensation, requiring off-the-clock work, failing to provide final payments, misclassifying employees as being exempt from overtime compensation or as independent contractors rather than as employees, and improperly withholding tips.

(2) Wage theft poses a serious and growing problem across industries for working individuals of the United States. Wage theft is widespread and is estimated to cost workers more than \$15,000,000,000 per year. In certain industries, compliance with Federal wage and hour laws is less than 50 percent.

(3) Wage theft is closely associated with employment discrimination, with women, immigrants, and racial and ethnic minorities being disproportionately affected. Women are significantly more likely to experience minimum wage violations than men, foreign-born workers are nearly 2 times as likely to experience minimum wage violations as their counterparts born in the United States, and African Americans are 3 times more likely to experience minimum wage violations than their White counterparts.

(4) Wage theft is closely associated with unsafe working conditions.

(5) Wage theft—

(A) depresses the wages of working families who are already struggling to make ends meet;

(B) strains social services funds;

(2)

- (C) diminishes consumer spending power and hurts local economies;
- (D) reduces vital State and Federal tax revenues;
- (E) places law-abiding employers at a competitive disadvantage with noncompliant employers;
- (F) burdens commerce and the free flow of goods; and
- (G) lowers labor standards throughout labor markets.”

I request **MOTION TO BE LISTED AS A PRIORITY DEBT AND DEMAND**

**ACKNOWLEDGMENT OF EMPLOYMENT AND TYPE OF WORK PERFORMED** from Sears Holdings Corporation within this motion to acknowledge I was working on their books from the time period of 2010 - 2016 as an employee, and specialty level of the type of work performed, that assisted in meeting world goals, of reduction of emissions internationally. This is an urgent demand because I’ve been experiencing difficulty with applying for Social Security Administration benefits for several years. Social Security has claimed I don't have enough credit to apply for the benefits and I cannot protect my family because of this hardship. I have been experiencing this for almost a decade due to these wage thefts. I need credit of my work performed and acknowledgement and have it reported to Social Security Administration to provide financial relief to me, Aron Goldberger and my family from the time period, I became unemployed due to wage theft to date. Sears Holdings Corporation needs to pay these wages immediately and, or report this credit of work to Social Security, as an emergency action to become eligible for Social Security Income Benefits for Claim #26517, and pay for injury claim

and or make allotment for me to go back and make insurance claims to their (Kmart/ Sears) Insurance provider to pay out amounts requested in Claim #26515 for Aron Goldberger injury claims interfered with if, and or they have depleted their funds within this Bankruptcy Case, as immediate alternative settlement regarding these ongoing theft of wages, mistreatments, and financial threats, affecting me and my family's well being that have not ceased, in regards to these matters, that keeps us from completing our education and freedom to be safe and make choices influenced by our own agency, not from the Creditors depressive effects. “Wage Theft Prevention and Wage Recovery Act”. (SEC. 2. FINDINGS. (5) Wage theft—(A) depresses the wages of working families who are already struggling to make ends meet;” (Sec. 2(5)(a)).

### **HISTORY**

I, Aron Goldberger, took a pay cut from my work as CEO and Corporate Real Estate Broker of my own firm to become employed with Sears Holdings Corporation as an employee from 2010-2016. The companies I formed named B.I. Realty Inc. where I hung my NYS corporate real estate brokers license for over 13 yrs at the time, and as a real estate developer with a shares Id# working with DHCR, I formed called Futuristic Life Inc. developing apartment buildings 40 units and over, with site control over land in Westchester County, and initial start up of my futuristic styled luxury bathroom fixture showroom business, where I held exclusive inventory I possessed solely in the USA , from an acquisition at the (NKBC) kitchen and bath convention in Chicago back in 2007. I joined the Sears Holdings Corporation to make unlimited money as an employee earning base salary, plus commissions as promised, while learning and gaining experience in sales, maintenance and install of appliances, to help support the luxury bathroom

fixture showroom business venture expenses, and business relationships, I held, with distributors I partnered up with in China, along with other real estate development projects. I Aron Goldberger entered the Sears Holdings Corporation at an entry level position working as an employee getting paid on a base salary, plus commission basis, enabling me to make as much money as I desired, supposedly. I Aron Goldberger quickly worked my way into the commercial sales appliance program, as a Sears employee, NYS Licensed Corporate Real Estate Broker and student at New York University obtaining a degree and studying real estate on a International scale with goals to do real estate deals on an international scale. The use of my privileged information from my work and privileged counsel, contact base, and resources I paid for was utilized by Sears as a real estate developer, engaging in commercial referral sales nationwide, while on the Sears / Kmart payroll through the Sears Commercial Services Division, in which, I have all email communication records with the Commercial Executives, funneling my waged commissions for my pay, and even failed to hire for a commercial position applied for. My employment and works, resulted in assisting with Paris Agreement 2020 and 2050 world goals in reducing emissions on a large scale, “(United Nations,*Treaty Series*, vol. 3156 C.N.63.2016.TREATIES-XXVII.7.d of 16 February 2016 (Opening for signature) and C.N.92.2016.TREATIES-XXVII.7.d of 17 March 2016.)” ; cited from UN website([https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=XXVII-7-d&chapter=27&clang=\\_endue](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVII-7-d&chapter=27&clang=_endue) to climate) change issues, by providing international leads to clients in immediate need of Energy Star products, with my full awareness and intentions to help meet these

economical goals, with my private, personal and valuable customer contact base, information and counseled notes leading to sales, as a valuable employee of the Company deserving recognition and credit for my works as a sustainable human and citizen, making a great impact of goals to reduce emissions on the earth, which is considered to be honorable work that deserves acknowledgement and credit. Early on after several email communications with the Sears Holdings Corporation corporate employees began to show signs of negligence regarding my commercial referral sales status, and even failure to hire communication, from interviews with the commercial sales managers. These delays to pay and update wage status, turned into non-payment and theft by Sears Commercial Services, causing severe damages that contributed to and triggered, government corruption, several types of attacks on a small and large scales throughout several communities within NYS on a State and Federal Level, loan defaults, domestic violence, divorce, human right losses, human trafficking within homeless shelters that continuously failed to house and never did, displace creditor and prevent collections and filings created reasons why I did not succeed at any statute of limitations at the time coverage by insurance enabling me to be compensated by the debtor. The ability to maintain the control over my whereabouts were removed, and all my mail and property access and incomes were stopped with the assist of government agencies, in which I've caught in their actions, in several different instances and have been supported through police reports. I experienced repetitive unexplainable losses of support from friends and family, personal and business property, corporate documents and personal property, auctioned after income blocks, property rights, contact bases, fraud,

identity thefts, privacy breaches of creditors and creditors clients as a real estate broker, within educational institutions, stalking, child endangerment, defamation of character, poverty, and medical malpractice, which sabotaged several professional relationships, and reputations of educational institutions, and then supported the objective of abusers doing harm gang stalking toward myself, Aron Goldberger, along with human trafficking and homelessness to prevent and delay communications and collection of wages, causing instability and mail thefts, within shelters with help of government with intention to do harm, and no intention to pay out wages, causing instability, mail thefts, blocks on incomes and several other damages, to delay, and prevent payment of wages, while a company employee at Sears Holdings Corporation, and provoke bad behaviors as resulting in a Presidential Declaration of Disaster. In 2014, while employed with Sears, but, off duty at a Kmart location on 34th Street in Manhattan I was attacked by a Kmart /Sears security guard employee who tried to accuse me of stealing an ink cartridge from a store. This Kmart/Sears employee did attack me on 34th street outside the store injuring and breaking my wrist with the attempt to take and search my bag for inventory and have me arrested. When the Kmart/Sears employee discovered he was wrong and I had not stolen the merchandise, I started a lawsuit and began suing Kmart/ Sears for my injured wrist while being employed, which required me to withdraw from school at NYU in Spring 2013 and work at Sears, for surgery from the incident. My disability payments were unreasonably delayed and issued way after my surgery was completed, by my Sears manager at the time, and then my attorney withdrew from my injury case without explanation, or valid reason and no offer

Sears insurance was made available to me. I am requesting a resolution of Sears compensating me through their insurance company for my injury and damages. I received no compensation for my injury which required ongoing physical therapy and I was again attacked by a boyfriend unexplainable who was angry I completed the surgery, and I was again displaced through an illegal eviction due to delays of my disability payments, and forced into homelessness an additional time, mocked as a corporate licensed real estate broker, ruining my image and reputation. Before this wage theft I had no history of these types of issues.

After the surgery was completed while residing in a homeless shelter there were continued delays on disability payments, to be processed by my Sears store manager owed, long after my surgery was completed and after the holidays, and no communications regarding my corporate sales leads from corporate, and nationwide referred leads were missing from my spreadsheets of corporate sales, regarding my commercial sales long after surgery was completed, and any and all help was stopped. These experiences resembled the nature of conspiracy. The Debtor had no intention of paying my wages after several failures to promote and hires in 2015 interviews with corporate managers, while I residing in domestic violence shelters, and the first auction of some of my valuable Personal and business property was auctioned off from a storage after income was made available 1-2 after the auction took place. days being able to pay for it I was asked to leave from, after interviews for corporate sales positions interviews over the phone, email and in person for by a Sears Commercial New York Manager who failed to hire me ( a single, African American, female minority) for a more qualified position after utilizing my work



the company already benefited from (failure to hire, employment discrimination), according to the “Wage Theft Prevention and Wage Recovery Act” (3) Wage theft is closely associated with employment discrimination, with women, immigrants, and racial and ethnic minorities being disproportionately affected. Women are significantly more likely to experience minimum wage violations than men, foreign-born workers are nearly 2 times as likely to experience minimum wage violations as their counterparts born in the United States, and African Americans are 3 times more likely to experience minimum wage violations than their White counterparts.”, with no explanation on Christmas Day, after continuing to benefit from my corporate leads, and it is believed they participated in creating obstacles and participated with many in creating obstacles that caused time lapses to occur that stopped my collection process and this was the reason I did not succeed at any statute of limitations that may exist now, and at the time coverage by insurance enabling compensation by the debtor was available. EEOC complaints were filed and this was noted in a Department of Labor UI Complaint and Court case in a Notice of Directly Related Case attached to USCFC Tax court case filed in 2021, along with complaints to the Attorney General's office. In 2016, I was forced to move into my office with my children as a resort to housing in a building originally to be used as my business office space in Yonkers, NY. I rang up a sale of a hot water heater with my employee discount for the office building I ended up residing in, the delivery of the item took over 2 months without explanation and was denied installation after several complaints of non delivery, an arrangement was made by myself to have it delivered ourselves after being refused delivery. This hot water heater was used to heat

the hot water of the building I leased and rented for my business and provided hot water for the entire building and used by myself and my children to cook and shower with. My dear friend and owner of that building did in fact also suddenly unfriend without warning or reasonable excuse, and mentioned me to be blacklisted, and turned off the hot water so my children and I could not take showers. We resorted to showering on campus at my school (NYU) where I previously took dance classes. Very soon after I was being refused housing by all and upon my lease expiring my owner friend lost his building of several decades, and we were all evicted from the building, accept one other tenant, and my last set of personal and business items stored in a storage in Yonkers NY with much valuable property and evidence, was auctioned off to an unknown party the day of release of funds from my education, that was unexplainably delayed and not accepted by the storage company, auctioning my corporate documents. Other important documents were missing from the storage before the auction took place. It is only upto now, recently in 2021 and 2022 that I Aron Goldberger have been able to begin to recover and be able to gather myself and information to position myself to address these matters that have been so unreasonably unfair. These are wage thefts at its boldest, most reckless and obvious after I reviewed it. This company has financially, physically, and psychologically imposed harm to me and my family with the intent to harm without ceasing and continue to do so with no apology or resolution offered. Still they continue to neglect priority status and delay in taking corporate accountability and responsibility even with provision of evidence and have bullied and threatened my well being, incomes and help which have been stopped, minimized, and delayed to date. This has put many

stops on my children's education and my own today and our freedom to choose where and how we want to live. Much negligence and injustices and mistreatment and unusual financial challenges continue to take place creating threats to myself and my children and Social Security denials have just been made in early 2022 and acknowledgement credit request for credit to apply for SSI and SSD from Social Security and Workman's Compensation and Insurance Claims for wages and injuries from Sears Holdings Corporation regarding these matters and Department of Labor claims made to Directly related case faxed and mailed that was denied attachment or settle negotiate or Injury deepening due to nonpayment. I am presently working a job that furthers my injury. I am requesting a relief to go back and collect for wages, and injury by way of Sears Insurance, Social Security work credit acknowledged by Sears, Workers Compensation and Department of Labor UI back pay, if Sears funds have been depleted by bankruptcy as an option to collections to creditor from debtor as priority debt to be paid immediately.

As of today I am experiencing several new potential financial risks, domestic abuse threats, delays regarding responses and approvals regarding recent insurance claims and stops on marriages, friendships, and other relationship types such as education and child support due to this wage theft. Before being employed with Sears Holdings Corporation I Aron Goldberger had no prior history of these types of issues before being employed with the Sears Holdings Corporation. I've kept detailed records of all complaints and happenings as real estate brokers duties are required to do, regarding these catastrophic, damages and losses,

making it challenging to conceal her identity changes and continue my education at New York University obtaining my degree in real estate under my new name, after becoming rehired at Sears under my new identity in 2013-2016 to remain eligible as an employee to continue to collect my wage commissions, as, as long as I remained on payroll with Sears Holdings Corporation, I remained eligible to collect my wage commissions, I submitted since 2011.

### **CONCLUSION**

With all the hardship I should be entitled to collect my wages. I trusted this organization with my work efforts contributed and instead of being respected, acknowledged and celebrated with kindness, I was met with abuse, my works being hidden, unkindness discreditment, violence, attacks on my character and shamed for my work instead of being honored and celebrated for my contributions to the companies accomplishments acquired from my own experience and education contributed. Sears Holdings Corporation did not report my wages to Social Security Administration making me ineligible for income on several basis, did not give credit or acknowledgement for the type of valuable work performed, it was not reported to Social Security that they did not pay, making me and my family unsafe, and forcefully, unjustly throwing us into poverty, I was previously not in, against my own will and agency. According to U.S Code, “The amount a qualifying employee can claim for unpaid earnings after the closure of a debtor's business increases from \$12,850 to \$13,650. (11 U.S.C. § 507(a)(4)).”, and the personal injury to creditor, by a Kmart /Sears employee unlawfully, and the damages caused, thereof,

found in Claim #26515, (11 U.S. Code § 507 - Priorities (g)(10)Tenth, allowed claims for death or personal injury resulting from the operation of a motor vehicle or vessel if such operation was unlawful because the debtor was intoxicated from using alcohol, a drug, or another substance.”,(power). Based on the Wage Theft Prevention and Recovery Act, my claim should be priority status and optional arrangements should be made available to pay me immediately because my circumstances and characteristics falling directly underneath the description and criteria of employment descrimination after several decisions made of failure to hire at corporate, acknowledge work performed, claimed, not paid for, that I have provided documented proof of corporates books maintained, and the characteristics of my identity which fits under female, and African Americanare who are 2 and 3 times more likely to experience wage theft after findings within Congress in the year of 2019-2020 with white counterparts. (HR 7701) and (H.R.3712 - Wage Theft Prevention and Wage Recovery Act, 116th Congress (2019-2020 “(3) Wage theft is closely associated with employment discrimination, with women, immigrants, and racial and ethnic minorities being disproportionately affected. Women are significantly more likely to experience minimum wage violations than men, foreign-born workers are nearly 2 times as likely to experience minimum wage violations as their counterparts born in the United States, and African Americans are 3 times more likely to experience minimum wage violations than their White counterparts.

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- (A) depresses the wages of working families who are already struggling to make ends meet;
- (B) strains social services funds;
- (C) diminishes consumer spending power and hurts local economies;
- (D) reduces vital State and Federal tax revenues;
- (E) places law-abiding employers at a competitive disadvantage with noncompliant employers;
- (F) burdens commerce and the free flow of goods; and
- (G) lowers labor standards throughout labor markets.”

Based on “The Paris Agreement Goals” met which I also deserve credit for in which I was aware of before the agreement was finalized through other world goals learned through my educational status, (“The Paris Agreement is a **legally binding international treaty on climate change**. It was adopted by 196 Parties at COP 21 in Paris, on 12 December 2015 and entered into force on 4 November 2016. Its goal is to **limit global warming** to well below 2, **preferably to 1.5 degrees Celsius**, compared to pre-industrial levels.”, “United Nations, *Treaty Series*, vol. 3156 C.N.63.2016.TREATIES-XXVII.7.d of 16 February 2016 (Opening for signature) and C.N.92.2016.TREATIES-XXVII.7.d of 17 March 2016. Supporting evidence of employee status and commercial sales spreadsheet have been provided, along with proof of status from loans issued, due to injury to employees, in previous hearing claims. I am requesting relief to go back and collect for wages, and injury by way of Sears Insurance, Social Security

work credit acknowledged by Sears, Workers Compensation and Department of Labor UI back pay, if Sears funds have been depleted by bankruptcy as an option to collections to creditor from debtor as priority debt to be paid immediately. With the level of foul play and abuse involved (intentional delays) there was no way, I Aron Goldberger, as an individual battling these matters independently could have met any form of statute of limitations that may imply regarding the loss and theft of these wages fairly. It is solely by God's grace and mercy, not man, that I was able to get this far, in the process of this case, today. To God be the Glory! I say these things in Jesus' Holy name, Amen.

Dated: Poughkeepsie, New York  
06//15/2022

/s/ Aron Goldberger  
Kingdom Seekers Inc.  
15 S Bridge Street #312  
Poughkeepsie, NY 12601

